IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 19TH OCTOBER 2006 / 27TH ASWINA 1928

Bail Appl..No. 6224 of 2006()

CRIME NO.646/2006 OF PERINTHALMANNA POLICE STATION.

PETITIONER:

P. PREMNATH, RESIDING AT
PALATHINGAL, KOTTUVADAU, PUZHAKKATTIRI,
MALAPPURAM-679 321.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.SREEKANTH.K.R
SRI.JIBU P THOMAS
SRI.SUNIL J.CHAKKALACKAL

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
TRAFFIC UNIT, PERINTHALMANNA POLICE
STATION, PALAKKAD.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6224 of 2006

Dated this the 19th October, 2006.

O R D E R

I heard the elaborate, emphatic and persuasive arguments of the learned counsel, Sri.V.Chitambaresh, appearing for the petitioner. Although the inimitable style of submissions adopted by the learned counsel has touched my heart, after going through the Case Diary file placed before me by the prosecution, my judicial mind is refusing to take another view than the one which I have taken during the hearing of B.A.No.5972/2006 dated 6.10.2006. I agree that, after the discussions, the learned counsel had withdrawn B.A.No.5972/2006. But, I am not inclined to pass a pre-arrest order under Section 438 Cr.P.C. in this application.

2. In such circumstances, if the petitioner appears before the Investigating Officer or before the court below, the authorities, as the case may be, shall proceed against the petitioner, according to the law. This application is closed as above.

J.M. JAMES,
JUDGE

nj.